

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
ANN ARBOR DIVISION

WARNER BROS. RECORDS INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; UMG RECORDINGS, INC., a Delaware corporation; BMG MUSIC, a New York general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; CAPITOL RECORDS, INC., a Delaware corporation; and ATLANTIC RECORDING CORPORATION, a Delaware corporation,

Case:05-CV-74394-DT

Hon.:Anna Diggs Taylor

Magistrate Judge Virginia M. Morgan

Plaintiffs,

v.

LARRY SCANTLEBURY,

Defendant.

MATTHEW E. KRICHBAUM (P52491)
JONATHAN D. ROWE (P35384)
Soble Rowe Krichbaum, LLP
Attorneys for Plaintiffs
221 North Main Street, Suite 200
Ann Arbor, Michigan 48104
(734) 996-5600

PLAINTIFFS' UNOPPOSED MOTION TO EXTEND ADD/AMEND DEADLINE

Plaintiffs, Warner Brothers Records, Inc., Sony BMG Music Entertainment, BMG Music, Arista Records, LLC, Capitol Records, Inc., and Atlantic Recording Corporation (collectively, "Plaintiffs") respectfully move this court pursuant to Fed. R. Civ. P. 16(b) to extend the add/amend deadline until August, 1, 2006. In support thereof, Plaintiffs state the following:

1. Plaintiffs filed the instant copyright infringement case against Defendant Larry

Scantlebury on November 17, 2005. On March 15, 2006, this Court issued a Proposed

Scheduling Order which set an add/amend deadline of April 15, 2006. Based on indications that other individuals may share responsibility for the infringement, Plaintiffs requested this Court modify its Proposed Scheduling Order to allow Plaintiffs time to conduct initial discovery prior to the deadline. Defendant did not oppose the motion and this Court granted it on April 7, 2006. The add/amend deadline is today, June 15, 2006.

2. Plaintiffs served their initial discovery on May 4, 2006 and sent their initial disclosures on April 17, 2006. Defendant has not responded.
3. Plaintiffs have since spoken with Defendant. Defendant has agreed to adequately respond to discovery by Friday, June 24, 2006.
4. Pursuant to Fed. R. Civ. P. 16(b), this Court may modify its scheduling order upon a showing of good cause. Good cause exists in this case. Plaintiffs have diligently pursued discovery, but have not received adequate answers. Consistent with the Federal Rules of Civil Procedure and this Court's local rules, the parties have resolved the issue without this Court's intervention. That being said, Plaintiffs still do not have Defendant's discovery responses and they are critical to Plaintiffs' ability to determine if adding additional parties or amending the complaint is warranted or justified.
5. Plaintiffs spoke with Defendant regarding this motion. Defendant agreed to the extension, though no specific length of time was discussed.
6. Plaintiffs request a modified deadline of August 1, 2006 in order to allow Defendant time to adequately respond, Plaintiffs time to review the responses and potentially conduct some follow-up discovery before the new deadline.

7. Adjusting the add/amend deadline will not impact other deadlines in this case.

WHEREFORE, Plaintiffs respectfully request this Court extend the add/amend deadline until August 1, 2006.

Respectfully submitted,

Date: June 15, 2006

Soble Rowe Krichbaum, LLP

By: /s/ Matthew E. Krichbaum
Matthew E. Krichbaum (P52491)
Jonathan D. Rowe (P 35384)
Attorneys for Plaintiffs
221 North Main Street, Suite 200
Ann Arbor, MI 48104
Telephone: (734)996-5600

Dated: June 15, 2006

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the above and foregoing **PLAINTIFFS' UNOPPOSED MOTION TO EXTEND ADD/AMEND DEADLINE** was forwarded in accordance with the Federal Rules of Civil Procedure on this 15th day of June, 2006, via U.S. Mail, First Class as follows:

LARRY SCANTLEBURY
7049 Amberly Way
Ypsilanti, MI 48197

/s/ Matthew E. Krichbaum
Matthew E. Krichbaum, Esq.